

NO. 63814

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION,
MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office FEB 06 1998

Returned to applicant for correction _____

Corrected application filed _____

Map filed FEB 06 1998

The applicant **Lifestyle Homes, Inc., A Nevada Corporation**, hereby make application for permission to change the **Point of Diversion, Manner of Use and Place of Use of a portion** of water heretofore appropriated under **Claim No. 330 of the Truckee River Decree**, said Decree entered by the District Court of the United States for Nevada in that certain action entitled "**The United States of America, Plaintiff vs. Orr Water Ditch Company, etal, Defendants**" in Equity Docket A-3.

1. The source of water is **Truckee River**
2. The amount of water to be changed **0.235 cfs - 28.884 Acre Feet**
3. The water to be used for **Municipal Use**
4. The water heretofore permitted for **As Decreed**
5. The water is to be diverted at the following point **See Exhibit "A"**
6. The existing permitted point of diversion is located within **NE¼ SW¼ of Section 17, T19N, R19E, MDM, or at a point from which the SW corner of said Section 17 bears S. 44° 40' W., a distance of 3211.00 feet (Orr Ditch)**
7. Proposed place of use **See Exhibit "B"**
8. Existing place of use **Within a portion of SE¼ SE¼ of Section 38, T20N, R20E, MDM. (7.221 acres)**
9. Use will be from **As Decreed to As Decreed**
10. Use was permitted from **As Decreed to As Decreed**
11. Description of proposed works **Water will be diverted by existing company facilities, treated and placed into existing and future distribution systems.**
12. Estimated cost of works **Existing**
13. Estimated time required to construct works **Existing**
14. Estimated time required to complete the application of water to beneficial use **Five (5) Years**
15. Remarks:

s/Michael D. Buschelman
By **Michael D. Buschelman, P.L.S.**
5405 Mae Anne Avenue
Reno, Nevada 89523

Compared my/cms bcm/ gkl
Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner of use and place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 330, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount, which can be applied to beneficial use, and not to exceed 0.235 cubic feet per second, but not to exceed 28.88 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

March 27, 2016

Proof of the application of water to beneficial use shall be filed on or before:

April 27, 2016

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,
State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 27th day of March, A.D. 2006


State Engineer

Completion of work filed March 12, 1997 under 60929

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

SERIAL NO. _____

EXHIBIT "B"
PROPOSED PLACE OF USE

| <u>DIVISION</u> | <u>SECTION</u> | <u>T-N</u> | <u>R-E</u> | |
|-----------------|---------------------------------------|------------|------------|-------------|
| ALL | 1 | 17 | 18 | M.D.B. & M. |
| PORTIONS | 2,11,12,13 & 14 | 17 | 18 | M.D.B. & M. |
| PORTIONS | 1,5,6 & 7 | 17 | 19 | M.D.B. & M. |
| ALL | 1,12,13, & 24 | 17 | 20 | M.D.B. & M. |
| PORTIONS | 2,3,5,6, 11,14,22,23 25,26 & 27 | 17 | 20 | M.D.B. & M. |
| ALL | 1 - 5 | 18 | 18 | M.D.B. & M. |
| E 1/2 | 6 & 7 | 18 | 18 | M.D.B. & M. |
| ALL | 8 - 17 | 18 | 18 | M.D.B. & M. |
| E 1/2 | 18 & 19 | 18 | 18 | M.D.B. & M. |
| ALL | 20 - 29 | 18 | 18 | M.D.B. & M. |
| E 1/2 | 30 & 31 | 18 | 18 | M.D.B. & M. |
| ALL | 32 - 36 | 18 | 18 | M.D.B. & M. |
| ALL | 1 - 5 | 19 | 18 | M.D.B. & M. |
| E 1/2 | 6 & 7 | 19 | 18 | M.D.B. & M. |
| ALL | 8 - 17 | 19 | 18 | M.D.B. & M. |
| E 1/2 | 18 & 19 | 19 | 18 | M.D.B. & M. |
| ALL | 20 - 29 | 19 | 18 | M.D.B. & M. |
| E 1/2 | 30 & 31 | 19 | 18 | M.D.B. & M. |
| ALL | 32 - 36 | 19 | 18 | M.D.B. & M. |
| ALL | 1 - 5 | 20 | 18 | M.D.B. & M. |
| E 1/2 | 6 & 7 | 20 | 18 | M.D.B. & M. |
| ALL | 8 - 17 | 20 | 18 | M.D.B. & M. |
| E 1/2 | 18 & 19 | 20 | 18 | M.D.B. & M. |
| ALL | 20 - 29 | 20 | 18 | M.D.B. & M. |
| E 1/2 | 30 & 31 | 20 | 18 | M.D.B. & M. |
| ALL | 32 - 36 | 20 | 18 | M.D.B. & M. |
| ALL | 1 - 5 | 21 | 18 | M.D.B. & M. |
| E 1/2 | 6 & 7 | 21 | 18 | M.D.B. & M. |
| ALL | 8 - 17 | 21 | 18 | M.D.B. & M. |
| E 1/2 | 18 & 19 | 21 | 18 | M.D.B. & M. |
| ALL | 20 - 29 | 21 | 18 | M.D.B. & M. |
| E 1/2 | 30 & 31 | 21 | 18 | M.D.B. & M. |
| ALL | 32 - 36 | 21 | 18 | M.D.B. & M. |
| ALL | 1 - 36 | 18 | 19 | M.D.B. & M. |

| <u>DIVISION</u> | <u>SECTION</u> | <u>T-N</u> | <u>R-E</u> | |
|-----------------|----------------|------------|------------|------------|
| ALL | 1 - 36 | 19 | 19 | M.D.B.& M. |
| ALL | 1 - 36 | 20 | 19 | M.D.B.& M. |
| ALL | 1 - 36 | 21 | 19 | M.D.B.& M. |
| ALL | 2 - 35 | 18 | 20 | M.D.B.& M. |
| W1/2 | 36 | 18 | 20 | M.D.B.& M. |
| ALL | 1 -12 | 19 | 20 | M.D.B.& M. |
| ALL | 14 -23 | 19 | 20 | M.D.B.& M. |
| ALL | 26 -35 | 19 | 20 | M.D.B.& M. |
| ALL | 1 - 36 | 20 | 20 | M.D.B.& M. |
| ALL | 1 - 36 | 21 | 20 | M.D.B.& M. |
| ALL | 1 - 36 | 20 | 21 | M.D.B.& M. |
| ALL | 1 - 36 | 21 | 21 | M.D.B.& M. |

NOTE: Please refer to maps filed in support of 57410 for lands described in T.17 N. and refer to maps filed in support of 62187 for the remainder. Refer to map filed under 62141 for SPPCo.

Sierra Pacific Power Company is the wholesale supplier to Washoe County for the specific purpose of diverting, treating, processing and delivering the water required under the Wholesale Agreement.

(1/1/98)

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EXHIBIT "A"

The following describes the multiple points of diversion for Sierra Pacific Power Company Water Treatment Plants, which are shown on the map accompanying Application No. 58882 on file with the State of Nevada, Division of Water Resources, more particularly described as follows:

STEAMBOAT CANAL (HUNTER CREEK RESERVOIR):

The existing point of diversion is situated within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 31, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 31 bears South 62°04' East, a distance of 3,195.00 feet.

HIGHLAND DITCH (HIGHLAND RESERVOIR):

The existing point of diversion is situated within the Southwest one-quarter of the Southeast one-quarter (SW1/4 SE1/4) of Section 9, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 9 bears South 75°16' East, a distance of 1,650.00 feet.

IDLEWILD TREATMENT PLANT:

The existing point of diversion is situated within the Southeast one-quarter of the Southeast one-quarter (SE1/4 SE1/4) of Section 10, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 10 bears South 69°57'58" East, a distance of 842.34 feet.

NORTH TRUCKEE DITCH (GLENDALE TREATMENT PLANT):

The existing point of diversion is situated within the Southwest one-quarter of the Northeast one-quarter (SW1/4 NE1/4) of Section 7, T.19N., R.20E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Northeast corner of said Section 7 bears North 39°28' East, a distance of 3,015.00 feet.

ORR DITCH PUMP STATION (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situated within the Northeast one-quarter of the Southeast one-quarter (NE1/4 SE1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Northeast corner of said Section 17 bears North 15°39'36" East, a distance of 3,264.77 feet.

ORR DITCH (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situated within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Southwest corner of said Section 17 bears South 44°40' West, a distance of 3,211.00 feet.